

*NOTE: Colorado school districts are required by law to adopt a regulation on this subject and the law contains some specific direction as to the content or language. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.*

## **Early Literacy and Reading Comprehension**

### **(Procedures to Implement the Colorado READ Act)**

The district shall comply with the Colorado Reading to Ensure Academic Development Act (READ Act) and applicable State Board of Education rules in implementing this regulation. This regulation addresses the procedures the district shall follow in creating a student's READ plan, communicating with the student's parent/guardian concerning the creation, contents and implementation of the student's READ plan, and determining whether a student with a significant reading deficiency will advance to the next grade level.

#### **A. Development of a READ plan**

A READ plan shall be developed for a student in kindergarten, first, second or third grade who is identified with a significant reading deficiency in accordance with the READ Act and applicable State Board of Education rules. If the student is in kindergarten, the READ plan shall be a component of the kindergartner's individualized readiness plan. Alternatively and in lieu of a READ plan, the district may address the student's identified significant reading deficiency in the student's Individualized Education Program (IEP), in accordance with applicable law.

#### **Components of the READ plan**

At a minimum, the student's READ plan shall include:

1. the student's specific reading skill deficiencies;
2. the goals and benchmarks for the student's growth in attaining reading competency;
3. the instructional programming and interventions that will be provided;
4. the manner in which the student's progress will be monitored;
5. the strategies the student's parent/guardian is encouraged to use in assisting the student;
6. any additional services the student's teacher deems available and appropriate to accelerate the student's reading skills.

#### **Communication with the student's parent/guardian**

The student's teacher and other school personnel shall meet with the student's parent/guardian, if possible, to create the student's READ plan. At this meeting, the student's teacher shall discuss the following with the student's parent/guardian:

1. The state's goal for all children in Colorado is to graduate from high school having attained skill levels that adequately prepare them for postsecondary studies or the workforce.

2. Research indicates achieving reading competency by the end of third grade is a critical milestone in achieving this goal.
3. If the student enters fourth grade without achieving reading competency, the student is significantly more likely to fall behind in all subject areas beginning in fourth grade and continuing in later grades.
4. If the student's reading skill deficiencies are not remediated, it is likely the student will not have the skills necessary to complete the coursework required to graduate from high school.
5. The nature of the student's reading skill deficiency, including an explanation of what the significant deficiency is and the basis upon which the teacher identified the deficiency.
6. Under state law, the student qualifies for and the district is required to provide targeted, scientifically based or evidence-based interventions to remediate the student's specific, reading skill deficiencies, and the student's READ plan shall include these interventions.
7. The student's parent/guardian plays a central role in supporting the student's efforts to achieve reading competency and is strongly encouraged to work with the student's teacher in implementing the student's READ plan.
8. The student's READ plan includes strategies the parent/guardian is encouraged to use at home and is encouraged to supplement the intervention the student receives in school.
9. There are serious implications to a student entering fourth grade with a significant reading deficiency. If the student continues to have a significant reading deficiency at the end of the school year, state law requires the parent/guardian, student's teacher and other school personnel to meet and consider retention as an intervention strategy.

At the conclusion of the meeting, the student's teacher shall provide the student's parent/guardian with a written explanation of the information discussed in items 1-9 above, along with a copy of the student's READ plan.

If the student's parent/guardian is unable to attend the meeting, the student's teacher shall provide the student's parent/guardian with a copy of the student's READ plan, a written explanation of items 1-9 above, and a written explanation of the scientifically based or evidence-based reading instructional programming and other reading-related services the student will receive under the plan as well as the strategies the parent/guardian is encouraged to apply to assist the student.

## **B. Student promotion or retention**

Within 45 days before the end of any school year, school personnel shall provide a written notification to the student's parent/guardian if a student in kindergarten, first, second or third grade continues to be identified as a student with a significant reading deficiency.

At a minimum, the written notification to the student's parent/guardian shall state:

1. There are serious implications to a student entering fourth grade with a significant reading deficiency and, therefore, state law requires the student's parent/guardian, student's teacher and other school personnel to meet and consider retention as an intervention strategy and determine whether the

student, despite having a significant reading deficiency, is able to maintain adequate academic progress at the next grade level.

2. School personnel will work with the student's parent/guardian to schedule a date, time and place for the meeting.

The written notification shall not be required if:

1. the student is a student with a disability who is eligible to take the alternative statewide assessment or whose disability substantially impacts the student's progress in developing reading skills, resulting in the student's significant reading deficiency;
2. the student is identified as an English language learner and the student's significant reading deficiency is due primarily to the student's language skills; or
3. the student is completing the second school year at the same grade level.

### **Meeting to discuss possible retention**

At the meeting to discuss the student's possible retention due to the student's significant reading deficiency, school personnel shall discuss the following with the student's parent/guardian:

1. There are serious implications to a student entering fourth grade with a significant reading deficiency and, therefore, state law requires the student's parent/guardian, student's teacher and other school personnel to meet and consider retention as an intervention strategy and determine whether the student, despite having a significant reading deficiency, is able to maintain adequate academic progress at the next grade level.
2. The importance of achieving reading competency by third grade because students who do so are more likely to graduate from high school and attain a postsecondary credential.
3. The student's body of evidence and the likelihood that the student, despite having a significant reading deficiency, will be able to maintain adequate academic progress at the next grade level.
4. The increased level of intervention instruction the student will receive in the next school year regardless of whether the student advances to the next grade level.
5. The potential effects on the student if he or she does not advance to the next grade level.

At the conclusion of the meeting or as soon as possible after the decision is made to promote or retain the student, school personnel shall provide the student's parent/guardian with a written statement regarding the decision and the basis for the decision.

Approved: December 2013, November 2014